

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERK'S OFFICE

UNITED STATES OF AMERICA,  
Plaintiff

v.

ROMAN ZHIRNOV,  
Defendant

CRIMINAL INDICTMENTS  
NO. 02-30043-MAP

U.S. DISTRICT COURT  
DISTRICT OF MASS.

DEC 10 P 3:11

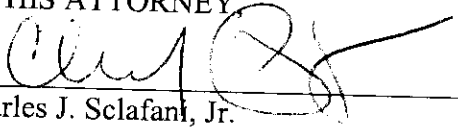
**DEFENDANT'S ASSENTED TO MOTION FOR ALLOWANCE TO FILE HIS  
PRETRIAL MOTIONS NUNC PRO TUNC TO DECEMBER 6, 2004**

Now comes the Defendant, Roman Zhirnov, by and through his attorney, and hereby requests permission of this Court to file his pretrial motions nunc pro tunc to December 6, 2004.

In support hereof, Defendant's counsel did not secure all necessary information within the time frame contained within the Court's scheduling order. Assistant District Attorney Kevin O'Regan indicated that the government has no objection with regard to this motion which would involve motions to be heard on the rescheduled hearing date of December 29, 2004.

Wherefore, Defendant requests that this Motion be granted.

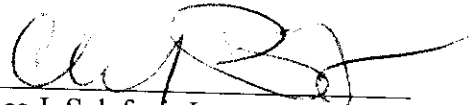
THE DEFENDANT,  
BY HIS ATTORNEY

  
Charles J. Sclafani, Jr.  
BBO# 550411

Johnson & Sclafani  
776 Westfield Street  
West Springfield, MA 01089  
413-732-8356

CERTIFICATE OF SERVICE

I, Charles J. Sclafani, Jr., attorney for the Defendant, Roman Zhirnov, hereby certify that on this 10<sup>th</sup> day of December, 2004, I served a copy of the foregoing *DEFENDANT'S ASSENTED TO MOTION FOR ALLOWANCE TO FILE HIS PRETRIAL MOTIONS NUNC PRO TUNC TO DECEMBER 6, 2004*, by in hand delivery to the Assistant U.S. Attorney, Kevin O'Regan, Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103.

  
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Charles J. Sclafani, Jr.